

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 71798

Shonny Ogunfiditimi  
2006 Frederick Road Apt. 22  
Germantown, MD 20876

1928 Willow Spring Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on April 28, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-5-302 (b)(1), failure to repair exterior structure on residential property known as 1928 Willow Spring Road, 21222.

On March 29, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Dan O'Neill issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,500.00 (one thousand five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 11, 2010 for repair of exterior structure on this investment property, fix front door and doorway. This Citation was issued on March 29, 2010.

B. Photographs in the file show a broken front screen door, and large areas of bare wood and peeling paint on the front door and doorframe of this single family house. Photographs also show peeling paint and bare wood on window frames.

C. This is an investment property. Respondent is required by law to maintain the exterior of this rental property at least in conformance with county code standards, including keeping all exterior surface materials maintained weatherproof and properly surface-coated to prevent deterioration. BCC Article 35, Title 2, Subtitle 4 (Maintenance of Investment Property); BCC Article 35, Title 5, Subtitle 2 (Rental Property). Respondent has failed to maintain this property and has permitted significant deterioration. This kind of inadequate maintenance of investment property is detrimental to communities. See BCC 35-2-402.

D. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below. If the violations are not corrected, Respondent will be subject to additional Citation with additional civil penalties.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,500.00 (one thousand five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$150.00 (one hundred fifty dollars) if the violations are corrected by June 1, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 3<sup>rd</sup> day of May 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf